

REMARKS

Reconsideration of this application as amended is respectfully requested. A Request for Continued Examination (RCE) is filed herewith.

Claims 1 and 3-39 are pending. Claims 1, 26, 28, 34, and 37 have been amended. Support for the amendments is found in the specification, the drawings, and in the claims as originally filed. Applicants submit that the amendments do not add new matter.

Applicants reserve all rights with respect to the applicability of the Doctrine of Equivalents.

Rejections Under 35 U.S.C. § 103

Claims 1, 3-16, 18, 20, 22, 24-31 and 33-39 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Massey, (USPN 5,384,563, "Massey") in view of Harrington, et al., (USPN 6,161,099, "Harrington"). Claims 17, 19, 21, 23 and 32 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Massey, in view of Harrington and further in view of Alaia, et al., (USPN 6,499,018, hereinafter "Alaia").

In claim 1, applicants claim "calculating a latency-compensated auction time by adding the message travel time to the sponsor auction time." With respect to this limitation, the Examiner states:

Massey discloses a computer-implemented method of time synchronization of a network comprising: ... calculating a latency-compensated auction time by adding the message travel time to the auction processor time (i.e., time messages are received and actually processed, see col. 2, lines 18-19)....

(Office Action dated 03/23/06, pages 2-3, ¶2).

In the cited portions, Massey reads as follows:

It is still another object of the present invention to provide a method and apparatus for providing time synchronization of information transmitted between devices of a bus type network by determining the difference between the time the information to be transmitted (message) is queued and actually transmitted, and the difference between the time messages are received and actually processed, and using those differences to eliminate the effect of skews due to the protocols.

(Massey, col. 2, lines 12-20). Elsewhere, outside the cited portion, Massey discloses:

The first network sends a first message to the second network, the first message being uniquely identified as a sync message. A first relative time is obtained within the first network of when the first message is transmitted. When the first network recognizes that the first message was sent, a second relative time is obtained to send a second message to the second network containing a real time of the first network that the first message was sent. The second network obtains a third relative time within the second network of when the first message is received. The real time of the first network contained in the second message is associated to the third relative time of the second network, thereby synchronizing the time of the second network to the time of the first network.

(Massey, col. 1, lines 53-67).

Thus, Massey discloses three different time calculations: (1) a first relative time, which is obtained within the first network when the first (sync) message is transmitted to the second network, (2) a second relative time, which is obtained within the first network to send a second message to the second network containing a real time of the first network when the first message was sent, and (3) a third relative time, which is obtained within the second network obtains when the first message is received. Massey discloses determining the difference between the time the message is queued and actually transmitted (i.e., the real time of the first network when the first message was sent), and the difference between the time messages are received and actually processed (i.e., the third relative time).

Thus, Massey discloses only that the real time of the first network when the first message is sent from the first network is correlated to the time messages are received and actually processed at the second network. Massey does not teach or suggest “calculating a latency-compensated auction time by adding the message travel time to the sponsor auction time,” (emphasis added), as claimed.

Applicants respectfully submit that Harrington does not supply the missing limitations. Harrington discloses an electronic auction in which bids are submitted before the auction ends. Harrington is silent about and does not teach or suggest “calculating a latency-compensated auction time by adding the message travel time to the sponsor auction time,” as claimed.

As neither Massey nor Harrington teach each and every limitation of claim 1, applicants respectfully submit that the combination does not render obvious claim 1 and associated dependent claims 3-25.

Claims 26-27

In claim 26, applicants claim “causing a time clock at a participant processor to be set to a latency-compensated auction time, the participant processor being coupled with an auction processor via a communications network, the latency-compensated auction time computed by adding a message travel time from the participant processor to the auction processor to a sponsor auction time at the auction processor.”

As discussed above, the combination of Massey and Harrington does not teach or suggest a latency-compensated auction time computed by adding a message travel time from the participant processor to the auction processor to a sponsor auction time at the auction processor. Therefore, the combination does not render obvious claim 26 and associated dependent claim 27.

Claims 28-33

In claim 28, applicants claim “synchronizing a time clock at a participant processor with a time clock at an auction processor coupled to the participant processor via a communications network using a latency-compensated auction time, the latency-compensated auction time computed by adding a message travel time from the participant processor to the auction processor to a sponsor auction time at the auction processor.”

As discussed above, the combination of Massey and Harrington does not teach or suggest a latency-compensated auction time computed by adding a message travel time from the participant processor to the auction processor to a sponsor auction time at the auction processor. Therefore, the combination does not render obvious claim 28 and associated dependent claims 29-33.

Claims 34-36

In claim 34, applicants claim “accepting a bid placed by the participant processor at the auction processor after a closing of an auction only if a message containing the bid is ordered prior

to the end of bidding message, the predetermined end of the bidding time being determined based on the latency-compensated auction time, the latency-compensated auction time computed by adding a message travel time from the participant processor to the auction processor to a sponsor auction time at the auction processor.”

As discussed above, the combination of Massey and Harrington does not teach or suggest a latency-compensated auction time computed by adding a message travel time from the participant processor to the auction processor to a sponsor auction time at the auction processor. Therefore, the combination does not render obvious claim 34 and associated dependent claims 35-36.

Claims 37-39

In claim 37, applicants claim “calculate a latency-compensated auction time by adding the message travel time to an auction processor time.”

As discussed above, the combination of Massey and Harrington does not teach or suggest a latency-compensated auction time computed by adding a message travel time from the participant processor to the auction processor to a sponsor auction time at the auction processor. Therefore, the combination does not render obvious claim 37 and associated dependent claims 38-39.

Claims 17, 19, 21, 23

As discussed above, the combination of Massey and Harrington does not teach or suggest “calculating a latency-compensated auction time by adding the message travel time to the sponsor auction time,” as claimed in independent claim 1. Applicants respectfully submit that Alaia does not supply the missing limitations.

Alaia discloses receiving a bid at an auction processor after the end of bidding time. Alaia does not teach or suggest calculating a latency-compensated auction time by adding the message travel time to the sponsor auction time, as claimed.

As none of Massey, Harrington, and Alaia teach or suggest each and every limitation of claim 1, applicants respectfully submit that the combination does not render obvious associated dependent claims 17, 19, 21, 23.

Claim 32

Claim 32 depends from independent claim 28, which claims that “the latency-compensated auction time computed by adding a message travel time from the participant processor to the auction processor to a sponsor auction time at the auction processor.”

As discussed above in reference to the rejection of claims 17, 19, 21, 23, the combination of Massey, Harrington, and Alaia does not teach or suggest this limitation.

As none of Massey, Harrington, and Alaia teach or suggest each and every limitation of claim 28, applicants respectfully submit that the combination does not render obvious associated dependent claim 32.

If the Examiner determines the prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact Lester Vincent at (408) 720-8300.

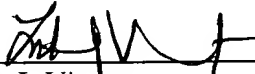
Deposit Account Authorization

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Applicant hereby requests such extension.

Respectfully submitted,

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